

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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July 29, 2003

FROM: DAVID H. SLAUGHTER, Director
Real Estate Services Department

KEN A. MILLER, Director
Department of Public Works – Transportation

**SUBJECT: APPRAISAL AND ACQUISITION OF A ROAD EASEMENT AND TEMPORARY
RIGHT-OF-ENTRY**

RECOMMENDATIONS:

1. Approve Appraisal No. 03-19, dated June 11, 2003, a copy of which is on file with Real Estate Services Department (RES D).
2. Authorize RES D to acquire the necessary right-of-way for the retaining wall project at Hook Creek Road in the unincorporated community of Cedar Glen at the appraised values.

BACKGROUND INFORMATION: On April 28, 2003, the Department of Public Works Transportation Division (DPW) requested RES D complete an appraisal and make offers to acquire the necessary right-of-way from two parcels located on the north side of Hook Creek Road, east of Cumberland Drive in the unincorporated community of Cedar Glen for the reconstruction of the existing retaining wall and catch basin built in the 1940's. Because of drainage runoff coming across Hook Creek Road, the wall has deteriorated and is now at risk of failing. The retaining wall is necessary to protect the slopes and adjacent private property. In addition to reconstructing the retaining wall and catch basin, curbs, gutters and sidewalks will also be constructed.

One partial street easement acquisition and two temporary rights-of-entry are required to complete the project. The first parcel (APN 0331-096-10) is owned by Earl C. Connolly and Margaret D. Connolly, as Trustee U/D/T dated June 20, 1986. A permanent street easement consisting of 1,270 square feet and a temporary construction easement (TCE) consisting of 4,136 square feet are required from this parcel. The second parcel (APN 0331-101-20) is owned by Michael E. Ewert and Crystal L. Ewert. A TCE consisting of 70 square feet is required from this parcel. The TCEs are for a seven-month period and are necessary to allow the contractor to enter onto the property in conjunction with the proposed construction.

REVIEW BY OTHERS: This item has been reviewed by the Department of Public Works (Richard Bronstrup, Transportation Design Division Chief) on July 7, 2003; County Counsel (Rex A. Hinesley, Chief Deputy County Counsel) on July 8, 2003; and the County Administrative Office (Lynn Chacon and Tom Forster, Administrative Analysts) on July 18, 2003.

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FINANCIAL IMPACT: The total cost for the permanent street easement and two temporary rights of entry is \$9,700, which includes related costs of \$2,670 to reimburse both owners for trees. The total project cost is estimated at \$300,000 and will be financed through Measure I funds (RWT TRA TRA). Approval of this item will not result in local cost.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this item, concurs with the department's and RESD's proposal, and recommends this action based on the need to construct a new retaining wall, catch basin, curbs, gutters and sidewalks in Cedar Glen to protect slopes and private property in the area.

SUPERVISORIAL DISTRICT: Third

PRESENTER: David H. Slaughter, Director, 7-7813

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